

In The United States Patent and Trademark Office

In re Application of: Chatschik Bisdikian et al. Docket: YOR920010520US1

Serial Number: 09/933,625

Confirmation No.: 6413

Filed: August 21, 2001

Examiner: Djenane M. Bayard

Art Unit: 2141

Date: August 3, 2010

For: PERVASIVE, PERSONAL DATA INTERACTIVITY OVER VOICE-GRADE CIRCUIT
SWITCHED CELLULAR NETWORKS

PETITION UNDER 37 CFR §1.183

AND

MPEP §1002.02(b) 2.

Hon. Commissioner of Patents and Trademarks

P.O. Box 1450

Alexandria, VA 22313-1450

Applicants are submitting a Declaration under 37 CFR §1.131 in the above-captioned application. The inventors listed in the above-captioned application are Chatschik Bisdikian, William F. Jerome and Mahmoud Naghshineh. The Declaration under 37 CFR §1.131 requires the signatures of all of the inventors. However, after diligent search, inventor William F. Jerome cannot be found. Accordingly, this petition is being filed seeking a waiver of the signature of the unavailable inventor William F. Jerome.

The following facts are stated in support that William F. Jerome cannot be found:

In an unrelated patent application, William F. Jerome signed a missing parts Declaration with the date January 2, 2008, and his address as 5 Harris Court, Baldwin Place, NY 10505. A

copy of the Declaration is attached as Exhibit A. The foregoing address is believed to be the last known address for William F. Jerome.

The undersigned tried to obtain William F. Jerome's phone number by calling directory assistance for the above town of Baldwin Place. The undersigned was told that there was no listing in Baldwin Place for William F. Jerome.

The undersigned sent a letter dated July 26, 2010, by first class mail to William F. Jerome's last known address. A copy of the letter is attached as Exhibit B.

The July 26, 2010, letter was returned with "NOT DELIVERABLE" written on the face of the envelope. A copy of the envelope is attached as Exhibit C.

An internet search for William F. Jerome in Baldwin Place turned up a web page (the relevant parts of which are attached as Exhibit D) from "Block Shopper Westchester" indicating that a home owned by William F. Jerome at 5 Harris Court was sold. A second web page (the relevant parts of which are attached as Exhibit E) from "Block Shopper Westchester" indicates that the home was sold September 25, 2008. It is unknown why Exhibits D and E list the town in the address as Somers, NY, when William F. Jerome listed the town in his address (in Exhibit A) as Baldwin Place, NY. Regardless of whether William F. Jerome lived in Somers, NY or Baldwin Place, NY, his home was likely sold in September 25, 2008.

In summary, a diligent effort has been made to locate William F. Jerome without success and it is submitted that William F. Jerome shall be deemed to be "unavailable".

Request for Relief:

In view of the above facts, it is respectfully requested that waiver of the signature of the unavailable inventor William F. Jerome be granted.

Fee:

The fee for this petition under 37 CFR 1.17(f) may be charged to deposit account 500510.

Respectfully submitted,

Chatschik Bisdikian et al.

By: / Ira D Blecker /

Ira D. Blecker

Registration No. 29,894

Law Offices of Ira D. Blecker, P.C.

206 Kingwood Park

Poughkeepsie, New York 12601

Telephone: 845-849-3686

Facsimile: 845-849-3688

idb@bleckeriplaw.com

EXHIBIT A

Electronic Patent Application Fee Transmittal

| | | | | |
|---|--|----------|--------|----------------------|
| Application Number: | 11954141 | | | |
| Filing Date: | 11-Dec-2007 | | | |
| Title of Invention: | Methods and Apparatus for Dynamic Generation and Notification of Virtual Presentities for Presence-Based Awareness | | | |
| First Named Inventor/Applicant Name: | William F. Jerome | | | |
| Filer: | William Edward Lewis | | | |
| Attorney Docket Number: | YOR920070522US1 | | | |
| Filed as Large Entity | | | | |
| Utility Filing Fees | | | | |
| Description | Fee Code | Quantity | Amount | Sub-Total in USD(\$) |
| Basic Filing: | | | | |
| Pages: | | | | |
| Claims: | | | | |
| Miscellaneous-Filing: | | | | |
| Late filing fee for oath or declaration | 1051 | 1 | 130 | 130 |
| Petition: | | | | |
| Patent-Appeals-and-Interference: | | | | |
| Post-Allowance-and-Post-Issuance: | | | | |
| Extension-of-Time: | | | | |

| Description | Fee Code | Quantity | Amount | Sub-Total in USD(\$) |
|-------------------|----------|----------|--------|----------------------|
| Miscellaneous: | | | | |
| Total in USD (\$) | | | | 130 |

DECLARATION

AS A BELOW NAMED INVENTOR, I hereby declare that:

My residence, post office address and citizenship are as stated next to my name.

I believe that I am the original, first and sole (*if only one name is listed below*), or an original, first and joint inventor (*if plural names are listed below*), of the subject matter which is claimed and for which a patent is sought on the invention entitled:

TITLE: METHODS AND APPARATUS FOR DYNAMIC GENERATION AND NOTIFICATION OF VIRTUAL PRESENTITIES FOR PRESENCE-BASED AWARENESS

the specification of which is attached hereto or indicates an attorney docket no. YOR920070522US1, or:

☒ was filed in the U.S. Patent & Trademark Office on December 11, 2007 and assigned Serial No. 11/954,141.

☐ and (*if applicable*) was amended on _____.

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above. I acknowledge the duty to disclose information which is material to patentability and to the examination of this application in accordance with Title 37, Code of Federal Regulations § 1.56. I hereby claim foreign priority benefits under Title 35, U.S. Code § 119(a)-(d) or § 365(b) of any foreign application(s) for patent or inventor's certificate, or § 365(a) of any PCT international application which designated at least one country other than the United States, or § 119(e) of any United States provisional application(s), listed below and have also identified below any foreign applications for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

Priority Claimed:

Yes [] No []

(Application Number) (Country) (Day/Month/Year filed)

Yes [] No []

(Application Number) (Country) (Day/Month/Year filed)

I hereby claim the benefit under Title 35, U.S. Code § 120, of any United States application(s), or § 365(c), of any PCT International application designating the United States, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT International applications(s) in the manner provided by the first paragraph of Title 35, U.S. Code § 112, I acknowledge the duty to disclose information material to patentability as defined in Title 37, Code of Federal Regulations § 1.56 which became available between the filing date of the prior application and the national or PCT international filing date of this application:

(Application Serial Number) (Filing Date) (STATUS: patented, pending, abandoned)

(Application Serial Number) (Filing Date) (STATUS: patented, pending, abandoned)

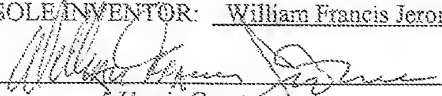
I hereby appoint Practitioners associated with Customer No.:

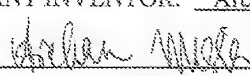
48063

to prosecute this application and to transact all business in the U.S. Patent and Trademark Office connected therewith and with any divisional, continuation, continuation-in-part, reissue or re-examination application, with full power of appointment and with full power to substitute an associate attorney or agent, and to receive all patents which may issue thereon, and request that all correspondence be addressed to:

William E. Lewis
RYAN, MASON & LEWIS, LLP
90 Forest Avenue
Locust Valley, NY 11560
Tel.: (516) 759-2946

I HEREBY DECLARE that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under §1001 of Title 18 U.S. Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

FULL NAME OF FIRST OR SOLE INVENTOR: William Francis Jerome Citizenship U.S.A.
 Inventor's signature:  Date: 1/2/08
 Residence & Post Office address: 5 Harris Court
Baldwin Place, NY 10505

FULL NAME OF SECOND JOINT INVENTOR: Archan Misra Citizenship India
 Inventor's signature:  Date: 01/04/08
 Residence & Post Office address: 6 Young Way
Bridgewater, NJ 08807

Ira D. Blecker, Esq.

Law Offices of Ira D. Blecker, P.C.

206 Kingwood Park
Poughkeepsie, New York 12601

TELEPHONE: (845) 849-3686

FAX: (845) 849-3688

EMAIL: ldb@bleckeriplaw.com

Patent Law, Technology Licensing and Outsourcing

EXHIBIT B

July 26, 2010

Mr. William F. Jerome
5 Harris Court
Baldwin Place, NY 10505

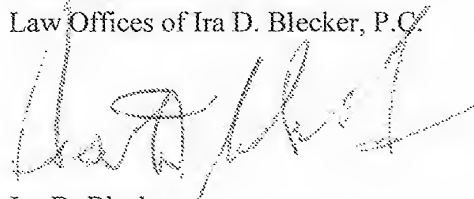
Re: IBM Patent Application

Dear Mr. Jerome,

I am an attorney engaged by IBM to handle some of its patent activities. I am currently handling a patent application on which you are a co-inventor that was filed in the US Patent and Trademark Office in 2001. There is some information that I would like to share with you about this patent application. Would you please contact me by phone or email at your earliest convenience so that I may speak with you.

Sincerely Yours,

Law Offices of Ira D. Blecker, P.C.

A handwritten signature in dark ink, appearing to read 'Ira D. Blecker', written over a faint, larger version of the same signature.

Ira D. Blecker

LAW OFFICES OF IRA D. BLECKER P.C.
206 KINGWOOD PARK
POUGHKEEPSIE, NEW YORK 12601

440 HARRISON NY 105
205 312 0000 444 2 1



Mr. William F. Jerome
5 Harris Court
Baldwin Place, NY 10505

CF

NIXIE 105 3E 1 00 07/29/10
RETURN TO SENDER
NOT DELIVERABLE AS ADDRESSED
UNABLE TO FORWARD

BC: 12601547006 *1638-22738-28-41
10505-4926185470

EXHIBIT C

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EXHIBIT D

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BlockShopper
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Filter search results by City:

Select a City

Filter search results by Zip:

Select a Zip

2 sales in Westchester found with seller = keyword "William F Jerome"

| Buyer | Seller | Address | City (choose to filter) | Zip (choose to filter) | Map |
|--|--|--------------------------------|----------------------------|---------------------------|---|
| Brian R Stroh and Jason W Stroh | William F Jerome Jr and Christine M Jerome | 4 Noel Court | Somers | 10501 | Map Property |
| Nico N A Samaille and Kristien Badisco | William F Jerome and Christine Jerome | 5 Harris Court | Somers | 10587 | Map Property |

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EXHIBIT E

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5 Harris Court **Somers, NY 10587**

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Neighborhood: [North of 202](#)

Owner: [William Jerome, Christine \(as of January 2008\)](#)

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Sales History (2001-present)

\$810,000 on September 25, 2008

B: [Nico N A Samaille, Kristien Badisco](#)

S: [William F Jerome, Christine Jerome](#)

\$546,626 on May 14, 2002

B: [Christine M Jerome, William F Jerome](#)

S: [Erik Tinkhauser, Beaver Brook, Somers Assoc Llc, Beaver Brook, Somers Acquisition Llc](#)

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About 5 Harris Court

- **County/Region:** [Westchester county NY / Upper Westchester](#)
- **Year built:** [N/A](#) | **Builder:** [N/A](#)
-
-
- **Census tract:** [149.07/Lake Lincolndale](#)